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In re Application of:	:	
TARTE, Frederic, et al.	:	DECISION ON RENEWED
U.S. Application No.: 10/556,664	:	PETITION
PCT No.: PCT/SE2004/000642	:	
International Filing Date: 28 April 2004	:	
Priority Date: 12 May 2003	:	
Atty Docket No.: 12400-050	:	
For: A STEERING WHEEL	:	

This decision is issued in response to the "Response To Decision On Petition Under 37 CFR 1.181(a) Requesting Withdrawal Of The Holding Of Abandonment" filed 17 May 2008. No petition fee is required.

### **BACKGROUND**

The procedural background for the present application was set forth in the decision mailed on 01 May 2008. The decision dismissed applicants' petition for withdrawal of the holding of abandonment based on applicants' failure to satisfy all the requirements for a grantable petition to confirm the timely filing of a response to the Notification of Missing Requirements.

On 17 May 2008, applicants filed the "Response To Decision On Petition Under 37 CFR 1.181(a) Requesting Withdrawal Of The Holding Of Abandonment" considered herein as a renewed petition.

### **DISCUSSION**

Applicants' petition asserts that a response to the Notification Of Missing Requirements mailed 27 September 2006, including an executed declaration and surcharge payment, was filed by facsimile on 17 October 2006. The decision mailed on 01 May 2008 indicated that applicants had failed to provide the showing required by 37 CFR 1.8(b) to confirm the 17 October 2006 facsimile submission. The decision stated that applicants were required to provide:

supplemental materials confirming that the ten page document attached as Exhibit A to the present petition is a true copy of the materials filed herein on 17 October 2006 (i.e., a statement from "M. Collins" confirming this fact on a firsthand basis, or a statement from counsel expressly confirming that the Exhibit is a true copy of the previously filed materials and indicating how counsel has firsthand knowledge of the previous transmission).

The renewed petition includes express statements from counsel and from Melissa A. Collins, the person who executed the certificate of transmission on the original submission, confirming on a firsthand basis that the ten page submission attached as Exhibit A to both the original and renewed petitions is a true copy of the ten-page facsimile submission filed 17 October 2006 as a timely response to the Notification of Missing Requirements. These materials, in combination with the original petition, provide an acceptable showing under 37 CFR 1.8(b) confirming the 17 October 2006 filing. Accordingly, the materials attached as Exhibit A to the present petition (including the executed declaration) are appropriately treated, for purposes of timeliness, as having been filed on 17 October 2006 as a timely response to the Notification of Missing Requirements mailed 27 September 2006. It is noted that, for all other purposes, these materials will be treated as having been filed on 21 February 2008, the filing date of the original petition (see 37 CFR 1.8(a)).

The Notification of Abandonment mailed 31 January 2008, based as it was on applicants' purported failure to file a timely response to the Notification Of Missing Requirements mailed 27 September 2006, is appropriately vacated.

### **CONCLUSION**

The renewed petition to withdraw the holding of abandonment is **GRANTED**.

Pursuant to 37 CFR 1.8, for purposes of timeliness, the materials accompanying the present petition, including the executed declaration, are treated as having been submitted on 17 October 2006 as a timely response to the Notification Of Missing Requirements mailed 27 September 2006.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 31 January 2008 is hereby **VACATED**.

This application is being returned to the National Stage Processing Branch of the International Division for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 21 February 2008.



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